

Revisions to state rules affecting large-scale livestock operations finalized

Large-scale farms with water quality permits affected in effort to prevent manure problems



Wisconsinites all want prosperous farms, good fishing and clean water. The Department of Natural Resources recently completed modifications to water quality regulations affecting large-scale livestock operations, representing an important step in achieving this goal.

The modified rule, NR 243 of the Wisconsin Administrative Code, governs how Wisconsin's very largest farms manage their manure and seeks to reduce manure-related problems from these farms. Large-scale farms, which have been required since the 1980s to get a state water quality protection permit, have at least 1,000 animal units, equal to 700 milking cows, 1,000 beef steers or 55,000 turkeys. The finalized changes to NR 243 aim to make state rules consistent with federal ones, and to decrease, in particular, winter manure runoff that has contaminated wells, killed fish and polluted streams.

It is important to note that the modified rule only applies to those operations that have been issued a permit by DNR. It is not the DNR's intent to require permits for all farms with fewer than 1,000 animal units. Instead, the DNR will continue to rely on other programs addressing impacts from these smaller farms and will only issue permits to smaller farms if they fail to address discharges in a timely way or if they contaminate a well.

Changes reflect stakeholders' coming together

DNR staff met with agricultural and environmental group representatives as well as other state, local and federal agencies, to obtain input and address concerns throughout the NR 243 revision process. After holding a series of public hearings, responding to concerns expressed by state legislative committees dealing with agriculture and obtaining approval from the Natural Resources Board, revisions to NR 243 are now complete. The revisions represent a significant move forward in addressing potential water quality impacts associated with larger-scale livestock operations while ensuring that animal agriculture in the state can continue to grow.

Under the finalized rule, permitted farms are subject to the following provisions:

- Operations would determine if they are at the 1000 animal unit threshold and need a DNR permit by completing a state "combined" animal unit calculation and a federal "individual" calculation.
- Operations proposing to become a CAFO must submit an initial abbreviated permit application 12 months prior to reaching CAFO size and a complete detailed application 6 months prior to reaching CAFO size.
- Farms must properly dispose of animal mortality and develop an emergency response plan to address catastrophic spills.
- Farms must follow nutrient management plans based on applying the right amount of phosphorus, which can otherwise pollute water and fuel algae growth.
- Manure spread on land must be set back from drinking water wells, sinkholes and fractured bedrock. Additional restrictions apply to manure and process wastewater spread on shallow soils over fractured bedrock.
- Revised inspection, monitoring and reporting requirements.
- Farms applying manure near lakes, streams must use practices such as leaving crop residue on fields and reducing application rates to protect against manure runoff, but are allowed flexibility in meeting these requirements.
- Liquid manure can not be spread on frozen or snow-covered ground unless it's injected, immediately incorporated into soil or unless it's an emergency outside the operation's control.
- Solid manure spreading is prohibited on frozen or snow-covered ground during February and March unless immediately incorporated. Farmers can stack solid manure in fields or store it in a designed structure during February and March.
- Six months of liquid manure storage is required with some exceptions. Operations currently without six months of storage have until January 1, 2010, to construct additional storage. Up to 90% of DNR-permitted livestock farms already have, or plan to have, 6 months of storage for liquid manure.

For more information go to:
<http://dnr.wi.gov/runoff/rules/nr243/nr243.htm>

